



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,081	03/19/2004	Sakari Kotola	4208-4047US1	7038

27123 7590 06/11/2007
MORGAN & FINNEGAN, L.L.P.
3 WORLD FINANCIAL CENTER
NEW YORK, NY 10281-2101

EXAMINER

YUN, EUGENE

ART UNIT	PAPER NUMBER
----------	--------------

2618

MAIL DATE	DELIVERY MODE
-----------	---------------

06/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/804,081

Applicant(s)

KOTOLA ET AL.

Examiner

Eugene Yun

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 16-19 and 52-74 is/are pending in the application.
- 4a) Of the above claim(s) 52-55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 16-19 and 56-74 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, 16-19, and 56-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philipsson (US 2001/0007815) in view of Irvin (US 6,297,737).

Referring to Claim 1, Philipsson teaches a method of connection establishment in a short-range wireless communication environment, comprising:

generating a RF-ID interrogation signal by a first terminal equipped with a RF-ID tag reader device (see paragraph [0007] where the first terminal is the stationary unit);

detecting the RF-ID interrogation signal by a second terminal equipped with means to detect and respond to RF-ID interrogation signals when within the range of the RF-ID interrogation signal (see paragraph [0020]);

notifying a processor in the second terminal of the presence of the RF-ID interrogation signal for setting a short-range communication module in the second terminal into a predefined operation mode for being capable of detecting paging signals directed to the second terminal (see paragraph [0022]);

responding to the RF-ID interrogation signal by transmitting a RF-ID response signal to the first terminal including identification information relating to the short-range communication module of the second terminal (see paragraphs [0020] and the last 3 lines of [0022]);

processing the received RF-ID response signal by the first terminal to activate a short-range communication module in the first terminal to initiate a shortened session setup by transmitting a short-range paging signal directed to the second terminal based on information of the received RF-ID response signal to establish a short-range connection with the second terminal (see last 7 lines of paragraph [0025]); and

detecting the paging signal by the short range communication module in the second terminal for immediate establishment of a short range connection between the first and second terminals (see last 3 lines of paragraph [0025]).

Philipsson does not teach providing a notification to activate a processor in the second terminal, the processor using the notification for setting a short range communication module in the second terminal into a predefined operation mode for detecting paging signals directed to the second terminal in response to detecting the presence of the RF-ID interrogation signal. Irvin teaches providing a notification to activate a processor in the second terminal, the processor using the notification for

Art Unit: 2618

setting a short range communication module in the second terminal into a predefined operation mode for detecting paging signals directed to the second terminal in response to detecting the presence of the RF-ID interrogation signal (see col. 6, lines 21-27 where the "return signal" is the notification). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Irvin to said device of Philipsson in order to better ensure a strong signal between the two devices.

Referring to Claim 2, Philipsson also teaches incorporating in the second mobile terminal a RF-ID tag reader having tag functionality and terminal identification information (see paragraph [0025]).

Referring to Claim 3, Philipsson also teaches switching the RF-ID tag reader in the second terminal to operate in a show communication mode and simulate a RF-ID tag device (see paragraph [0028]).

Referring to Claim 4, Philipsson also teaches the first and second terminals including RF-ID tag readers operating in an active mode (see paragraph [0022] noting that both terminals have their own power supply, thus being active).

Referring to Claim 5, Philipsson also teaches the RF-ID tag reader of the second terminal operating in a powered downstate and passive mode (see paragraph [0028]).

Referring to Claim 6, Philipsson also teaches the RF-ID tag reader automatically switching to a passive state when de-energized (see paragraph [0028]).

Referring to Claim 7, Philipsson also teaches the first and second terminals conforming to the principles of Bluetooth technology (see paragraph [0029]).

Referring to Claim 8, Philipsson also teaches the processor of the second terminal responding terminal to the second terminal informs the Bluetooth module of the second terminal to enter into a Bluetooth page scan mode after detecting an interrogation signal and responding to it with identification information of the Bluetooth communication module in order to provide a shortened device discovery and session setup between the terminals (see paragraph [0016]).

Referring to Claim 16, Philipsson also teaches the first and second terminals as mobile terminals (see paragraph [0027]).

Referring to Claim 17, Philipsson also teaches determining whether a short range connection is acceptable (see paragraph [0005]).

Referring to Claim 18, Philipsson also teaches instructing the short range communication module to enter into a page scanning mode if the Bluetooth mode is acceptable (see paragraph [0016]).

Referring to Claim 19, Philipsson also teaches instructing the short range communication module to enter into a non connectable connection if the Bluetooth mode is not acceptable (see paragraph [0028]).

Referring to Claim 56, Philipsson teaches a method of connection establishment in a wireless communication terminal, comprising:

detecting a RF-ID interrogation signal (see lines 3-4 of paragraph [0007]);

responding to the RF-ID interrogation signal by transmitting a RF-ID response signal including identification information relating to a wireless short-range module of the terminal (see paragraphs [0020] and the last 3 lines of [0022]); and

instructing the wireless short-range communication module to enter into a predefined operation mode capable of detecting paging signals (see paragraph [0022]).

Philipsson does not teach providing a notification to activate a processor in the wireless communication terminal, the processor instructing a wireless short range communication module in the wireless communication terminal to enter into a predefined shortened session set-up operation mode for detecting paging signals. Irvin teaches providing a notification to activate a processor in the wireless communication terminal, the processor instructing a wireless short range communication module in the wireless communication terminal to enter into a predefined shortened session set-up operation mode for detecting paging signals (see col. 6, lines 21-27 where the "return signal" is the notification). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Irvin to said device of Philipsson in order to better ensure a strong signal between the two devices.

Referring to Claim 68, Philipsson teaches a computer program product for connection establishment in a wireless communication terminal, comprising:

A computer readable medium storing:

Program code for detecting a RF-ID interrogation signal (see lines 3-4 of paragraph [0007]);

Program code for instructing the wireless short-range communication module to enter into a predefined operation mode capable of detecting paging signals (see paragraph [0022]).

Philipsson does not teach providing a notification to activate a processor, the processor instructing a wireless short range communication module in the wireless communication terminal to enter into a predefined operation mode for detecting paging signals. Irvin teaches providing a notification to activate a processor, the processor instructing a wireless short range communication module in the wireless communication terminal to enter into a predefined operation mode for detecting paging signals (see col. 6, lines 21-27 where the "return signal" is the notification). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Irvin to said device of Philipsson in order to better ensure a strong signal between the two devices.

Referring to Claim 62, Philipsson teaches a wireless communication terminal comprising:

- a processor 21 (fig. 2);

- a wireless short-range communication module configured to communicate over a wireless short-range communication connection (see lines 5-6 of paragraph [0019]); and

- a near field communication module configured to detect a RF-ID interrogation signal (see lines 3-4 of paragraph [0007]) and send a response signal including identification information relating to the wireless short-range communicant module in response to the RF-ID interrogation signal (see paragraphs [0020] and the last 3 lines of [0022]); and

- wherein the processor is configured to instruct the wireless short range-communication module to enter into a predefined operation mode for detecting paging

Art Unit: 2618

signals to establish a wireless short-range communication connection in response to receiving the notification from the near field communication module (see paragraph [0022]).

Philipsson does not teach the wireless near field communication module further configured to provide to the processor a notification of the presence of the RF-ID interrogation signal. Irvin teaches the wireless near field communication module further configured to provide to the processor a notification of the presence of the RF-ID interrogation signal (see col. 6, lines 21-27 where the "return signal" is the notification). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Irvin to said device of Philipsson in order to better ensure a strong signal between the two devices.

Referring to Claims 57 and 63, Philipsson also teaches including in the RF-ID response signal at least a unique Bluetooth identification number of the wireless short-range communication module (see paragraph [0016]).

Referring to Claims 58 and 64, Philipsson also teaches including in the RF-ID response signal a Bluetooth serial number and Bluetooth Clock Offset information of the wireless short-range communication module (see paragraph [0016]).

Referring to Claims 59, 65, and 69, Philipsson also teaches entering into a Bluetooth page scan mode after detecting the interrogation signal (see paragraph [0016]).

Referring to Claims 60, 66, and 70, Philipsson also teaches receiving a paging signal as an initial signal to activate the wireless short-range communication module (see paragraph [0022]).

Referring to Claims 61, 67, and 71, Philipsson also teaches skipping an inquiry stage (paragraph [0020]) and initiating a shortened set up upon receiving a paging signal (see paragraph [0025]).

Referring to Claim 72, Irvin also teaches instructing the second terminal to enter into a page scanning mode in the notification indicates a Bluetooth connection is acceptable (see col. 5, lines 26-35).

Referring to Claim 73, Irvin also teaches instructing the second terminal to enter into a non-connectable mode in the notification indicates a Bluetooth connection is not acceptable (see col. 5, lines 26-35).

Referring to Claim 74, Irvin also teaches determining if a Bluetooth connection between the first and second terminals is acceptable using a control circuit responsive to the processor (see col. 5, lines 15-23).

Response to Arguments

4. Applicant's arguments with respect to claims 1-8, 16-19, and 56-74 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Art Unit: 2618

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Eugene Yun
Examiner
Art Unit 2618

EY



MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER